

AMENDMENT UNDER 37 C.F.R. § 1.116  
U.S. Appln. No. 09/695,840

**REMARKS**

Claims 1-20 are all the claims pending in the application. Claims 1-20 presently stand rejected.

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Uchida (JP 9-168256).

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being of Uchida (JP 9-168256) in view of Takeuchi et al. (5,810,111).

**Analysis**

Claim 1 is the only claim in independent form; therefore, the following discussion is initially directed to this independent claim.

Claim 1 is directed to the structure of a brush holder for a dynamo-electric machine. A spring and a brush are set in a brush holder base. A terminal plate and a pigtail are connected in an area within 90° from an introducing portion of the pigtail in the brush toward an outside of the brush holder. Thus, the pigtail extends in the radial direction of the brush holder.

This structure reduces the negative influences against a sliding motion of the brush caused by flexibility of the pigtail and vibration of the brush in radial directions, so that operating noises and ripples of torque in the dynamo-electric machine can be reduced.

Uchida discloses that the introducing portion is either above the brush (Figs. 1-4) or on the side of the brush (Fig. 5). The pigtail extends to the side for connection to the terminal a certain distance from the side of the brush box. In particular, by pushing the pigtail joining portion of the terminal 4 on the side surface of the brush box 1 as shown in Figs. 1-4, the pigtail 3 moves upward above the upper surface so as to be released from the protrusion 1a and the

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brush 2 protrudes by a pressure of the brush spring. Thus, Uchida fails to teach or suggest that the pigtail should extend in the *radial* direction. Moreover, Takeuchi fails to overcome the deficiencies of Uchida. Thus, even if one were to combine the references, one would still fail to arrive at the claimed invention.

In view of the foregoing, claim 1 is patentable.

The remaining rejections are directed to the dependent claims. These claims are patentable for at least the same reasons as claim 1, by virtue of their dependency therefrom. Moreover, these claims are patentable by virtue of their recitations contained therein.

For example, claim 2 states that the terminal and pigtail are connected in an area around the sliding axis of the brush, within the width of the brush. Uchida and Takeuchi both fail to disclose that the terminal and pigtail are connected in such an area. Instead, the connection is made at an area perpendicular to the sliding axis of the brush. Also, the connection is within the length of the brush rather than the width of the brush. Therefore, claim 2 is patentable for these additional reasons.

Also, for example, claims 8-11 recite that the pigtail is introduced from the backside of the brush (see Figs. 10 and 11). The cited references disclose that the pigtail is introduced from the top or side of the brush. Thus, claims 8-11 are patentable for these additional reasons.

#### Conclusion

In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be

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best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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## APPENDIX

### VERSION WITH MARKINGS TO SHOW CHANGES MADE

#### IN THE CLAIMS:

The claims are amended as follows:

1. (Amended) A brush holder for a dynamo-electric machine, wherein a spring and a brush are set in a brush holder base, [a pigtail extends from an introducing portion in the brush in a radial direction of the brush holder,] and a terminal plate and [the] a pigtail are connected in an area within 90° from [the] an introducing portion of the pigtail in the brush toward [the radial direction] an outside of the brush holder.